

The following message was received from the Governor:

To the Hon. Senate of the State of Texas.

The bill entitled "An act to amend chapter 4, title XCV of the Revised Civil Statutes of the State of Texas, by adding thereto article 4761a, which was presented in the Executive office on the seventh day of March, A. D. 1889, is returned to the Senate in which it originated, with a statement of the objections which have required me to withhold from it my approval. In this discharge of official conviction I have felt compelled to overcome the reluctances with which I dissent from the conclusions of the two houses of the Legislature, and place my opinions in opposition to those who so fully possess my confidence and respect.

Under the law as it exists the Board of Education each year makes an apportionment of the annual available school fund among the counties and cities constituting separate and independent school organizations, and to issue to each a certificate for the respective amounts so apportioned. Upon this apportionment the Comptroller draws his warrant in favor of any county or city treasurer, which warrant is paid by the Collector or State Treasurer. But under the following provisions of the bill now considered, which reads as follows:

"Provided, further, that the pro-rata of the available school funds of any county, for any current scholastic year, shall not be required to be paid into the State treasury, but the same may be paid into the county treasury." It seems clear that the distributive share of the school fund belonging to the one hundred and fifty cities, towns and villages which have assumed control of their respective schools, would be placed in the county treasuries, from which no plain warrant of authority is found for drawing their pro rata share.

Nearly all these cities and towns pay more in school taxes to the State than their pro rata of the school tax amounts to. As an exemplification of this fact, it is only necessary to cite a few of them. Galveston city pays in eighteen times as much State school tax as Galveston county, exclusive of the city. The city of Houston three times as much as Harris county outside of Houston. San Antonio nearly four times as much as Bexar

county outside of the city, and yet the provisions of this bill, the whole of the State school tax collected in any of these cities and towns might be paid into the county treasury, and as the proper application of the funds after they reach the county treasury is left exclusively with county officials, and no practical check is placed by law upon their discretion, the funds might be applied to the schools in the county outside of the city, and not one dollar could be paid by collectors to the treasurers of the cities or town school fund and their dividends from the State apportionment could only be paid from the State treasury, which would contain only such school funds as accrue from interest on land sales, bonds, loans, etc., held in trust by the State, and the receipts from these sources are derivable in the school year, twelve months or more after the apportionment is required by law to be made.

This discrimination would not only be unjust, but would destroy in a large measure the efficiency of a good part of our school system, embracing the schools of the cities and towns that have assumed control of the schools in which about twenty per cent. of all the children are taught.

If it should be contended that the pro rata of the funds belonging to these cities and towns could under the proposed law, by implication, be paid over by the county treasurer to the city treasurer, then the objection is urged, that the county and city treasurers would each thereby become entitled to demand and receive their lawful fees for paying out the school fund, which would double the fees now paid, and deplete the fund to that extent, and should the bill become a law the assessors, when they shall have completed their rolls, instead of receiving a draft as now provided, to be paid out of the first moneys collected on their rolls, would be entitled to receive from the Comptroller a warrant which would have to be cashed by the Treasurer, thus paying for the assessment twice out of the current resources derived from the present ten cent levy.

L. S. Ross,
Governor.